

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
SOUTHERN DIVISION  
AT LONDON

DERIC LOSTUTTER, et al.,

Plaintiffs,

v.

MATT BEVIN, *in his official capacity as*  
GOVERNOR OF THE COMMONWEALTH  
OF KENTUCKY.

Defendant.

CIVIL ACTION NO. 6:18-277-KKC

ORDER

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This matter is before the Court on the Defendant's motion to dismiss. [DE 32] Since the parties agree that Plaintiff Margaret Sterne's claims are moot, the Court hereby **dismisses** her as a party to this action. However, given their significance, the Court finds that the remaining issues of this case should be resolved on summary judgment. The Defendant's outstanding Rule 12(b)(1) and 12(b)(6) claims are **DENIED** accordingly. The Court will conduct a status conference on Friday, **October 11, 2019, at 1:00 p.m.** in **Lexington, Kentucky.**

Dated August 30, 2019.



*Karen K. Caldwell*

KAREN K. CALDWELL  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF KENTUCKY